

MOT

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Attorney for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ROBERT GREENE, on behalf of himself and all others similarly situated,

CASE NO.: 2:09-cv-00748-JCM-RJJ

Consolidated with Case No.:
2:09-cv-00914-LDG-PAL

Plaintiffs,

1

ALAN WAXLER GROUP CHARTER SERVICES, LLC, dba AWG CHARTER SERVICES, a Nevada Limited Liability Company, Does and Roes 1-50, inclusive

**MOTION TO WITHDRAW AS
COUNSEL FOR DEFENDANT**

Defendants.

SAM BAUM, et al.

Plaintiffs.

V.

ALAN WAXLER et al,

Defendants.

Norman H. Kirshman, P.C., counsel for Defendant, ALAN WAXLER GROUP CHARTER SERVICES, LLC, dba AWG CHARTER SERVICES, hereby moves this Honorable Court to allow him to withdraw as counsel of record for Defendants.

1 This Motion is made and based upon the pleadings and papers on file in this action. Points
2 and Authorities filed herewith and Affidavit of Norman H. Kirshman, attached hereto, together with
3 testimony to be adduced at the time of hearing.

5 DATED: June 20, 2012.

NORMAN H. KIRSHMAN, P.C.

Norman H. Kirshman
Norman H. Kirshman (2733)
700 S. Third St.
Las Vegas, NV 89101
Attorney for Defendants

NOTICE OF MOTION

14 TO: All Interested Parties and Their Attorneys of Record:

15 PLEASE TAKE NOTICE that the undersigned will bring the above and foregoing Motion on
16 for hearing before the above entitled Court on the 2 day of , 2012, at the hour of
17 .m., or as soon thereafter as counsel may be heard.

19 DATED: June 20 , 2012.

NORMAN H. KIRSHMAN, P.C.

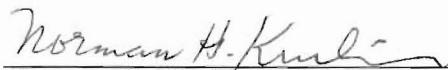
Norman H. Kirshman
Norman H. Kirshman (2733)
700 S. Third St.
Las Vegas, NV 89101
Attorney for Defendants

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Nevada Supreme Court Rule 46 authorizes an attorney to withdraw “[u]pon order of the court
3 or judge thereof on the application of the attorney or the client.” NSCR 46. EDCR 7.40, authorizes
4 an attorney to withdraw in a case. The reasons for the request to withdraw as attorney of record are
5 detailed in the Declaration attached hereto and incorporated herein by reference. Nevada Rules of
6 Professional Conduct 1.16(b)(7) provides that an attorney may withdraw from representation “with
7 good cause.”

8 DATED: June 20, 2012.

NORMAN H. KIRSHMAN, P.C.

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11 Norman H. Kirshman (2733)
12 700 S. Third St.
13 Las Vegas, NV 89101
14 *Attorney for Defendants*

15 **DECLARATION OF NORMAN H. KIRSHMAN**

16 I, Norman H. Kirshman, declare as follows:

17 All parties to the litigation have been apprised of this Motion verbally and were served with
18 copies when the Motion was filed in the Eighth Judicial District Court, prior to the removal to this
Court.

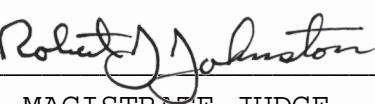
19 The reasons are:

- 20 1. Defendant refuses to pay outstanding fees.
21 2. Defendant is represented by other counsel, Gordon & Silver.

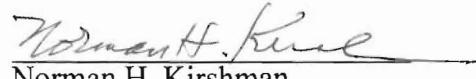
22
23 I declare under penalty of perjury under the laws of the State of Nevada that the context of this
24 Declaration is true to the best of my recollections and belief.

25 Dated: June 20, 2012

26 SO ORDERED.

27 
28 _____
U.S. MAGISTRATE JUDGE

DATE: JUNE 28, 2012


Norman H. Kirshman